

REMARKS

Claims 16-22 and 30-41 are pending in the application.

Claims 16-22 and 30-41 are currently amended. Applicants respectfully submit that no new matter is added to currently amended claims 16-22 and 30-41.

Claims 30-41 stand rejected under 35 U.S.C. §101 because the Office Action asserts that the claimed invention is directed to non-statutory subject matter.

Claims 16-22 and 30-41 stand rejected under 35 U.S.C. §103(a) as unpatentable over U.S. Patent No. 6,985,907 to Zambo et al., hereinafter, Zambo in view of U.S. Patent Application Publication No. 2005/0091640 to McCollum et al., hereinafter, McCollum, and further in view of Applicant's Admitted Prior Art (AAPA).

Applicant respectfully traverses these rejections based on the following discussion.

I. The 35 U.S.C. §101 Rejection

Claims 30-41 stand rejected under 35 U.S.C. §101 because the Office Action asserts that the claimed invention is directed to non-statutory subject matter because the Office Action asserts that the claims do not produce a useful, concrete, tangible result and that the claims are directed to a computer program *per se*.

Applicant respectfully submits that independent claims 30 and 36 are currently amended to recite, in relevant part, "providing for said one user's use text of said applicable codes".

Applicant further respectfully submits that "providing for said one user's use text of said applicable codes" produces a useful (for said user's use), concrete and tangible (text of said applicable codes) result in accordance with the requirements of 35 U.S.C. §101.

Applicant notes that independent claim 30 had formerly recited, "A computer program product", whereas independent claim 36 recites, "A method, comprising".

Applicant respectfully submits that independent claim 30 is currently amended to recite, in relevant part, "A program storage device readable by machine, tangibly embodying a program of instructions executable by said machine to perform an automated method for interpreting codes for one user's perspective from a plurality of users' perspectives for said one user's use,

said method comprising ... ", in accordance with the ruling of In re Beauregard, 53 F.3d 1583 (Fed. Cir. 1995).

Applicant further respectfully submits that claims 30-35 are not directed to a computer program *per se*, as noted above, and hence, are not directed to non-statutory subject matter under 35 U.S.C. §101.

For at least the reasons outlined above, Applicant respectfully submits that currently amended claims 30-41 fulfill the statutory requirements of 35 U.S.C. §101. Withdrawal of the rejection of claims 30-41 under 35 U.S.C. §101 is respectfully solicited.

II. The 35 U.S.C. 103(a) Rejection over Zambo, McCollum, and AAPA

A. The Zambo Disclosure

Zambo discloses a method of codifying field claims with the most severe of the applicable condition codes. A field claim can be conditioned with the most severe of the applicable condition codes based on a severity ranking of the plurality of condition codes. (col. 2, lines 17-21, which are cited by the Final Action).

Zambo also discloses that by using the simple keywords of Table 2 as the search criteria, any condition code applies if at least one of the keywords for that condition code is found in the text comment. Based on the technician text comment, the applicable condition code for the tire field claim is "TB6" since the Keyword "air" appears in the technician comment. Based on the customer text comment, the applicable condition codes for the tire field claim include "TA7" and "TB2" since the keywords "transport" and "flat" appear in the customer comment, respectively. The applicable condition codes designated by using the simple keywords provide useful information regarding the type and effect of the tire failure. Specifically, "TA7", "TB2", and "TB6" refer to other structural damage, flat tire or puncture damage, and slow leaks. By reviewing the text comments provided for the example, this information accurately reflects the type and effect of the tire failure. (col. 6, line 65 to col. 7, line 14, which is cited by the Final Action).

B. The McCollum Disclosure

McCollum discloses a rule definition language (RDL) for authoring rules used in concurrent processing. The RDL includes statements that facilitate efficient use of computer resources by allowing a rule to be broken down into one or more instructions, and processing these instructions asynchronously to provide a more efficient use of the computer resources. Once processed into the instructions, results thereof can be passed among the instructions to facilitate process completion of the rule. (Abstract).

McCollum discloses a rule definition language (RDL) that includes statements that facilitate efficient use of computer resources by allowing a rule to be broken down into one or more instructions, and processing these instructions asynchronously to provide a more efficient use of the computer resources. Further, execution flow is carefully studied and planned to prevent infinite looping. Once processed into the instructions, results thereof can be passed among the instructions to facilitate process completion of the rule. (Paragraph [0005], which is cited by the Final Action).

Referring to Fig. 1, McCollum also discloses that the purpose of the rules definition language (RDL) 100 is to test assertions, enforce constraints using runtime information, make inferences, perform correlations, and communicate results of dynamic test to other components. In support thereof, the RDL 100 includes a number of statements 102 that facilitate structuring one or more rules 104 for concurrent processing. (Paragraph [0029], which is cited by the Final Action).

McCollum further discloses that rather than specifying polling as an attribute, where it is not conditional, it can be dynamically achieved within a rule. If a condition occurs which triggers a specific polling action, this is coded by making a call to Task.Poll. (Paragraph [0171], which is cited by the Final Action).

C. The AAPA Disclosure

"The term code, and codified provisions, is used herein to refer to any set of formalized statements of conduct of individuals or legal entities, such as corporations. Such codes may be laws, such as those of civil or criminal justice, international laws, policy statements, contract

provisions, agreements, regulations, rules of association, constitutions, codes of conduct, and so on." (Specification, page 1, second paragraph, which is cited by the Final Action).

D. Arguments

Currently amended, independent claims 16, 30 and 36 recite in relevant part,

"applying evaluation functions to said target rules, corresponding to said codes, to identify applicable codes;

wherein a first evaluation function comprises said one user's perspective in said codes; and

wherein a second evaluation function comprises said event as relating to said codes;

identifying applicable codes based on the evaluations of said first and second evaluations, wherein said applicable codes match said evaluation functions as applied to said target rules; and providing for said one user's use text of said applicable codes".

Zambo merely discloses a method of codifying field claims for a warranty from an automobile manufacturer, which searches a number of claims for keywords in order to condition a claim with the most severe of the applicable condition codes. Inherent to Zambo's invention, is the fact that the codifying of claims is done from one perspective, that of the manufacturer/warrentor.

In contrast, the present invention describes at least the feature of: evaluating target rules from one user's perspective from a plurality of users' perspectives to provide for the one user's use a text of the applicable codes. Thus, text of applicable, for example, legal codes, could be provided to a prosecutor of a criminal case, a policeman testifying in the case, or to the defendant in the case.

Nowhere does Zambo disclose, teach or suggest providing for one user's use text of applicable code resulting from evaluations of target rules, corresponding to the codes, comprising evaluative functions encompassing the one user's perspective from among a plurality of user's perspectives.

McCollum merely discloses a rules definition language (RDL) for authoring rules used in concurrent processing of computer instructions that facilitate efficient use of computer resources by allowing a rule to be broken down into one or more instructions, and processing these instructions asynchronously to provide a more efficient use of the computer resources.

In contrast, the target rules of the present invention result from the application of logical rules to codes (not computer code), which are defined as "codes compris[ing] text of a document of any of laws, policy statements, contract provisions, agreements, regulations, rules of association, constitutions, codes of conduct".

Applicant respectfully asserts that although McCollum uses the term "rule", the reference to "rule" in McCollum is nonanalogous art, when compared with the description of "target rule" in the present claims, which are defined as "codes compris[ing] text of a document of any of laws, policy statements, contract provisions, agreements, regulations, rules of association, constitutions, codes of conduct".

Therefore, Applicant respectfully submits that McCollum is an improper reference with which to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a).

Applicant's Admitted Prior Art (AAPA) above, further supports Applicant's arguments with respect to the improper use of the McCollum reference to establish a *prima facie* case of obviousness under 35 U.S.C. §103(a).

For at least the reasons outlined above, Applicant respectfully submits that Zambo, McCollum, and AAPA do not disclose, teach or suggest the present invention's features of: "applying evaluation functions to said target rules, corresponding to said codes, to identify applicable codes; wherein a first evaluation function comprises said one user's perspective in said codes; and wherein a second evaluation function comprises said event as relating to said codes; identifying applicable codes based on the evaluations of said first and second evaluations, wherein said applicable codes match said evaluation functions as applied to said target rules; and providing for said one user's use text of said applicable codes", as recited in currently amended, independent claims 16, 30, and 36. Accordingly, Zambo, McCollum, and AAPA, either

individually or in combination, fail to render obvious the subject matter of currently amended, independent claims 16, 30, and 36, and currently amended, dependent claims 17-22, 31-35, and 37-41 under 35 U.S.C. § 103(a). Furthermore, Applicant respectfully submits that McCollum is nonanalogous art and is an improper reference to establish a *prima facie* case of obviousness under 35 U.S.C. § 103(a). Withdrawal of the rejection of claims 16-22, and 30-41 under 35 U.S.C. § 103(a) as unpatentable over Zambo, McCollum, and AAPA is respectfully solicited.

III. Formal Matters and Conclusion

Claims 16-22 and 30-41 are pending in the application.

With respect to the objection to the drawings, the currently amended claims are amended to more closely reflect the terms illustrated by the drawings. Applicant respectfully submits that to one of ordinary skill in the art, the drawings fulfill the requirements of 37 C.F.R. §1.83(a).

With respect to the rejection of the claims under 35 U.S.C. §101, Applicant respectfully submits that the currently amended claims fulfill the requirements of 35 U.S.C. §101.

With respect to the rejections of the claims over the cited prior art, Applicants respectfully argue that the present claims are distinguishable over the prior art of record. In view of the foregoing, the Examiner is respectfully requested to reconsider and withdraw the rejections to the claims.

In view of the foregoing, Applicants submit that claims 16-22 and 30-41, all the claims presently pending in the application, are in condition for allowance. The Examiner is respectfully requested to pass the above application to issue at the earliest time possible.

Should the Examiner find the application to be other than in condition for allowance, the Examiner is requested to contact the undersigned at the local telephone number listed below to discuss any other changes deemed necessary.

Please charge any deficiencies and credit any overpayments to Attorney's Deposit Account Number 09-0441.

Respectfully submitted,

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